

REMARKS

Following entry of this amendment, claims 34 and 70-93 will be pending in this application. Applicants have added new claims 70-93 and canceled claims 1, 3-14, 16-33, 36, 38-40, and 48-69 without prejudice and disclaimer. Support for the new claims can be found throughout the specification and claims as filed, e.g., at page 11, line 9, to page 15, line 21; page 16, line 27, to page 17, line 19; page 28, lines 16-21; page 30, line 11, to page 32, line 14; and page 36, line 16 to page 38, line 3. No new matter has been added.

The examined claims 1, 3, 5-9, 11-14, 19, 20, 22, 24, 25, 66, and 67 were variously rejected as allegedly in noncompliance with 35 USC §§ 102 and 112. Applicants do not concede that any of the current rejections are proper or correct. Solely in the interest of advancing prosecution, and without prejudice to their rights to later pursue the subject matter now excluded, Applicants have canceled claims 1, 3, 5-9, 11-14, 19, 20, 22, 24, 25, 66, and 67.

Applicants thank the Examiner for her indication that claim 34 is allowable. New claims 70-93 properly depend from claim 34 and fall within the elected restriction group I, drawn to polynucleotides, transformed cells, and methods for producing polypeptides that include culturing the transformed cells. Therefore, new claims 70-93 should likewise be held to be allowable.

This reply is being submitted with a Petition for Extension of Time and the required fee. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 14875-0155US1.

Respectfully submitted,

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